

**ZB# 06-29**

**Brian Breheny**

**77-1-4**

ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, N.Y. 12553

*Granted 6-26-06*

06-29

Brian Baeheny (APEN)  
2644 Liberty Ridge (11-1-11)

Publish 6-9-06

45127

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 77-1-4

In the Matter of the Application of

MEMORANDUM OF  
DECISION GRANTING

**BRIAN & JODI BREHENY**

**AREA**

CASE #06-29

**WHEREAS, Anthony Bianchi, Brother-in-Law of Brian Breheny represented the ,** owner(s) of 2644 Liberty Ridge, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 30 ft. Rear Yard Setback for proposed 16ft. X 16 ft. rear deck (300-10-6-G) at 2644 Liberty Ridge in an R-3 Zone (77-1-4)

**WHEREAS,** a public hearing was held on June 26, 2006 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

**WHEREAS,** the Applicant appeared on behalf of this Application; and

**WHEREAS,** there were no spectators appearing at the public hearing; and

**WHEREAS,** no one spoke in favor of or in opposition to the Application; and

**WHEREAS,** a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

**WHEREAS,** the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Official Town Newspaper, also as required by law.
2. The Evidence presented by the Applicant showed that:
  - (a) The property is a residential property located in a neighborhood of residential properties in an R-3 zone.
  - (b) The applicant seeks permission to construct a rear deck on his single-family house located on the property.
  - (c) In constructing the deck, the applicant will not remove any trees or substantial vegetation.

- (d) In building the deck the applicant will not build on top of nor will it interfere with any easements or rights-of-way including, but not limited to, water, sewer and electrical easements
- (e) In building the deck the applicant will not create the ponding or collection of water or divert the flow of water drainage
- (f) With the deck, the house will be similar in size and nature to other houses in the neighborhood.
- (g) The proposed or existing deck is immediately adjacent to an exit portal of the building. Without the deck, a safety issue would exist because a person exiting the premises would probable fall and sustain serious physical injury if the deck were not in place.

**WHEREAS,** The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance(s).

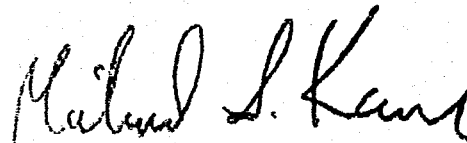
**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 30 ft. Rear Yard Setback for proposed 16ft. X 16 ft. rear deck (300-10-6-G) at 2644 Liberty Ridge in an R-3 Zone (77-1-4) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

**BE IT FURTHER**

**RESOLVED**, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: JUNE 26, 2006

A handwritten signature in cursive script, reading "Michael S. Kane".

---

Chairman

**OFFICE OF THE BUILDING INSPECTOR  
TOWN OF NEW WINDSOR  
ORANGE COUNTY, NEW YORK**

**NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION**

**DATE:** April 24, 2006

**APPLICANT:** Brian & Jodi Breheny  
2644 Liberty Rdg.  
New Windsor, New York 12553

**PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 4/18/06**

**FOR :** Brian Breheny

**LOCATED AT:** 2644 Liberty Ridge

**ZONE:** R-3      **Sec/Blk/ Lot:** 77-1-4

**COPY**

**DESCRIPTION OF EXISTING SITE: SINGLE FAMILY W/ PROPOSED 16'x16' REAR DECK**

**IS DISAPPROVED ON THE FOLLOWING GROUNDS:**

1. 300-10 R-3 ZONE LINE 6 COLUMN G, REQUIRED REAR YARD DEPTH OF 50'. PROPOSED 16'x16' REAR DECK WILL BE 20' FROM THE REAR PROPERTY LINE, A VARIANCE OF 30' IS REQUIRED.

*Louis J. Kynheon*  
BUILDING INSPECTOR

PERMITTED

PROPOSED OR  
AVAILABLE:

VARIANCE  
REQUEST:

ZONE: R-3      USE: SINGLE FAMILY W/ 16'x16' REAR PORCH

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:      50'

20'

30'

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP



PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS  
IMPORTANT  
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified electrical plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

RECEIVED

APR 17 2006

FOR OFFICE USE ONLY:  
Building Permit #: 2006-368

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS  
REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Brian and Jodi Breheny

Address 2644 Liberty Ridge, New Windsor NY 12553 Phone (845) 567-0427

Mailing Address 2644 Liberty Ridge New Windsor N.Y. 12553

Name of Architect \_\_\_\_\_

Address \_\_\_\_\_ Phone \_\_\_\_\_

Name of Contractor (owner)

Address \_\_\_\_\_

State whether applicant is owner, lessee, agent, architect, engineer or builder \_\_\_\_\_

If applicant is a corporation, signature of duly authorized officer. \_\_\_\_\_

(Name and title of corporate officer)

1. On what street is property located? On the \_\_\_\_\_ side of Liberty Ridge  
(N, S, E or W)  
and \_\_\_\_\_ feet from the intersection of Independence Drive

2. Zone or use district in which premises are situated \_\_\_\_\_ Is property a flood zone? Y \_\_\_\_\_ N \_\_\_\_\_

3. Tax Map Description: Section 77 Block 1 Lot 4

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy residency b. Intended use and occupancy \_\_\_\_\_

5. Nature of work (check if applicable) New Bldg ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☒ 6x16 rear deck

6. Is this a corner lot? No

7. Dimensions of entire new construction. Front 16' Rear 16' Depth 16' Height 3 1/2' No. of stories 1

8. If dwelling, number of dwelling units: \_\_\_\_\_ Number of dwelling units on each floor \_\_\_\_\_

Number of bedrooms \_\_\_\_\_ Baths \_\_\_\_\_ Toilets \_\_\_\_\_ Heating Plant: Gas \_\_\_\_\_ Oil \_\_\_\_\_

Electric/Hot Air \_\_\_\_\_ Hot Water \_\_\_\_\_ If Garage, number of cars \_\_\_\_\_

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use \_\_\_\_\_

10. Estimated cost \$5000.00+ Fee \$50.00

**PAID**

**ZONING BOARD**

\_\_\_\_/\_\_\_\_/\_\_\_\_  
date

APPLICATION FOR BUILDING PERMIT  
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK  
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock  
Asst. Inspectors: Frank Liel & Louis Krychear  
New Windsor Town Hall  
555 Union Avenue  
New Windsor, New York 12553  
(914) 563-4618  
(914) 563-4693 FAX

Bldg Insp Examined \_\_\_\_\_  
Fire Insp Examined \_\_\_\_\_  
Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_  
Permit No. \_\_\_\_\_

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

*John M. Breheny*  
(Signature of Applicant)

*2644 Liberty Ridge, New Windsor, N.Y. 12553*  
(Address of Applicant)

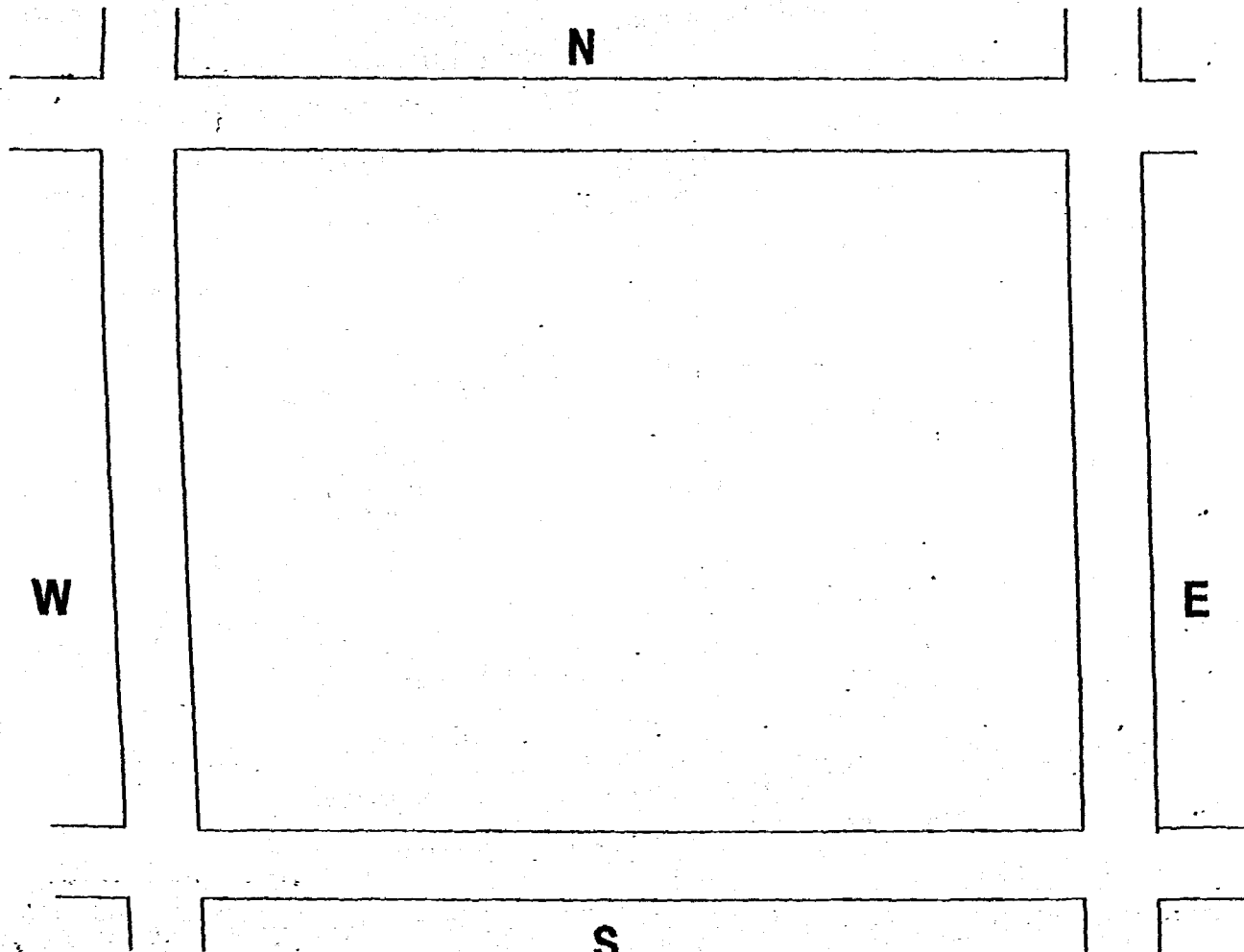
*John M. Breheny*  
(Owner's Signature)

*2644 Liberty Ridge New Windsor, N.Y. 12553*  
(Owner's Address)

PLOT PLAN

**NOTE:**

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

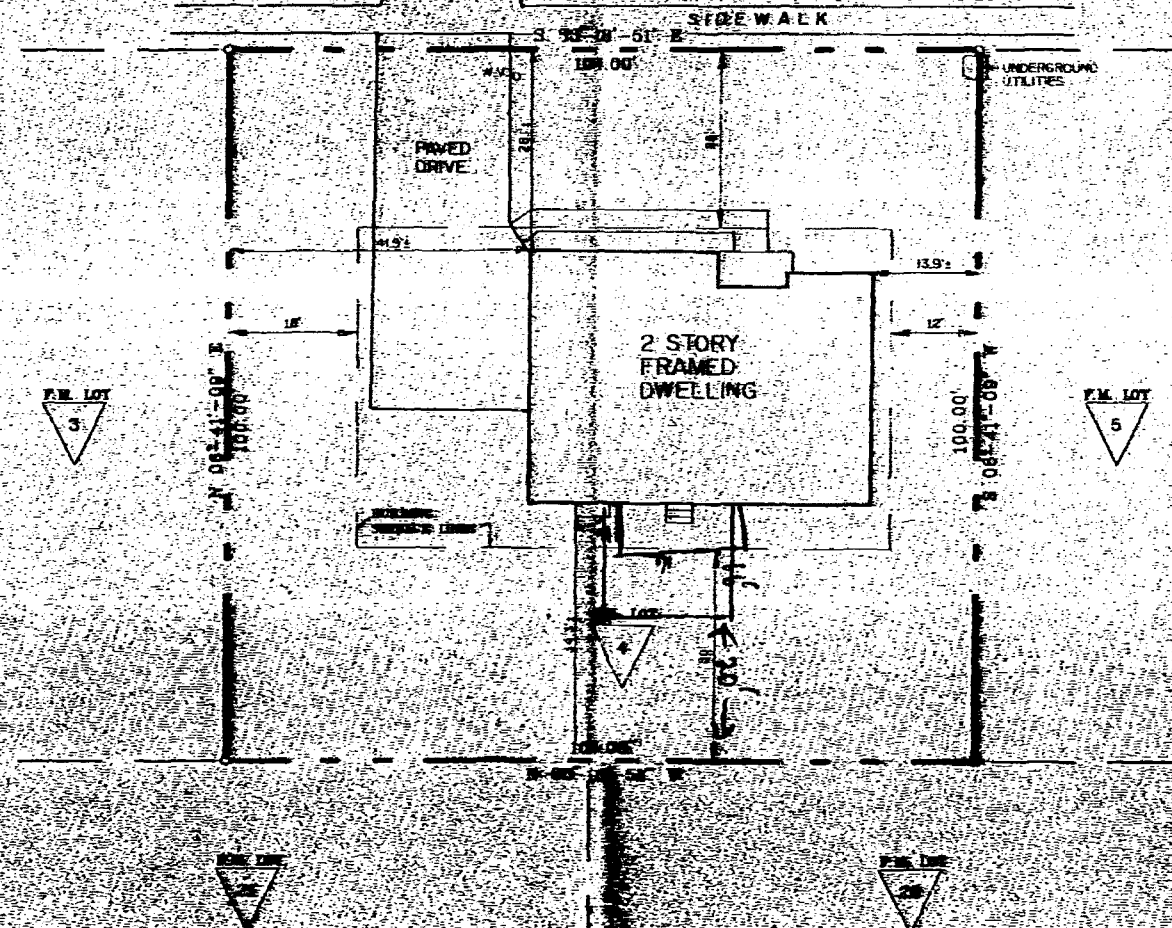


PL 100-100-100

PLEASE ALLOW ONE TO TWO DAYS TO PROCESS

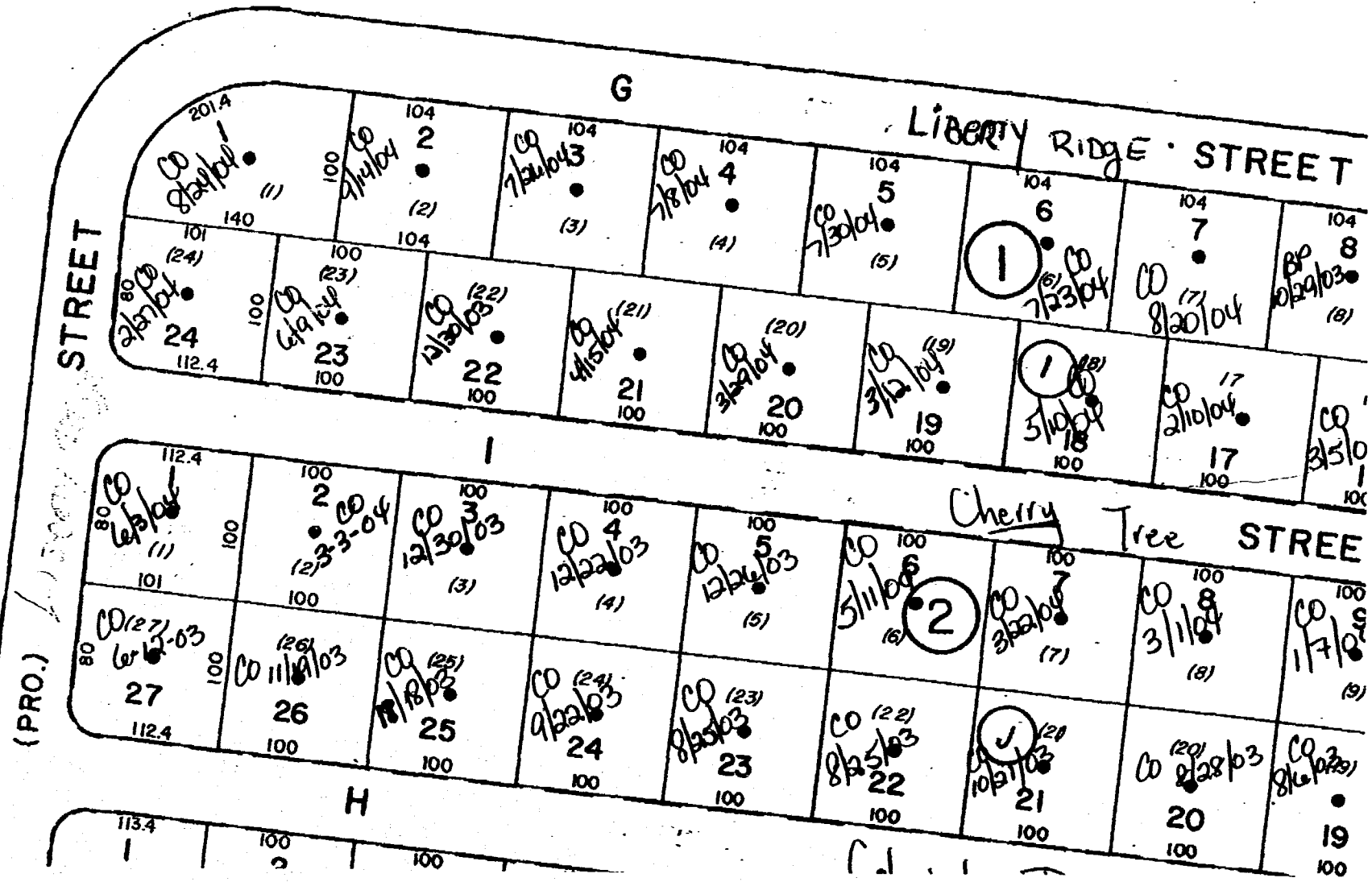
# LIBERTY RIDGE

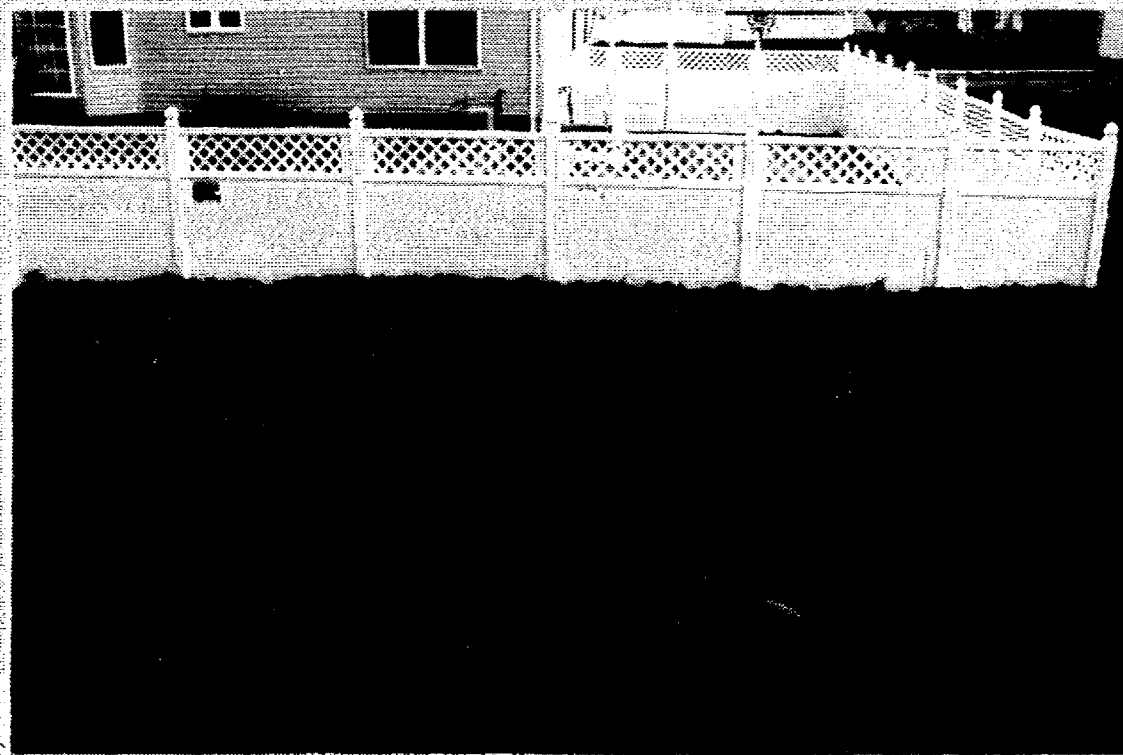
(UNDER CONSTRUCTION)



64

£396,500  
N531,000











**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
OFFICE  
845-563-4615**

**MEMORANDUM**

**TO: LARRY REIS, COMPTROLLER**  
**FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD**  
**DATE: OCTOBER 23, 2006**  
**SUBJECT: ESCROW REFUND**

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 190.10 TO CLOSE OUT  
ESCROW FOR:**

**ZBA FILE #06-29**

**NAME & ADDRESS:**

**Brian & Jodi Breheny  
2644 Liberty Ridge  
New Windsor, NY 12553**

**THANK YOU,**

**MYRA**

**L.R.10-23-06**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS  
RECORD OF CHARGES & PAYMENTS**



FILE #06-29      TYPE: AREA      TELEPHONE: 567-0427

**APPLICANT:**

Brian & Jodi Breheny  
2644 Liberty Ridge  
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK # <u>521</u>
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW:      RESIDENTIAL \$300.00      CHECK # 519

~~~~~

| <u>DISBURSEMENTS:</u> | <u>MINUTES</u>       | <u>ATTORNEY</u> |
|-----------------------|----------------------|-----------------|
|                       | <u>\$7.00 / PAGE</u> | <u>FEE</u>      |

|                              |          |       |                 |                 |
|------------------------------|----------|-------|-----------------|-----------------|
| PRELIMINARY:                 | <u>2</u> | PAGES | \$ <u>14.00</u> | \$ <u>35.00</u> |
| 2 <sup>ND</sup> PRELIMINARY: | —        | PAGES | \$ _____        | \$ _____        |
| PUBLIC HEARING:              | <u>2</u> | PAGES | \$ <u>14.00</u> | \$ <u>35.00</u> |
| PUBLIC HEARING:              | —        | PAGES | \$ _____        | \$ _____        |

LEGAL AD: Publish Date: 06-09-06      \$ 11.90

TOTAL:      \$ 39.90      \$ 70.00

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ESCROW POSTED:      \$ 300.00  
LESS: DISBURSEMENTS:      \$ 109.90

AMOUNT DUE:      \$ \_\_\_\_\_

REFUND DUE:      \$ 190.10

Cc:

L.R. 10-23-06

BRIAN\_BREHENY\_(06-29)

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MS. Jody Breheny appeared before the board for this proposal.

MR. KANE: Request for 30 ft. rear yard setback for proposed 16 ft. x 16 ft. rear deck at 2644 Liberty Ridge. Tell us what you want to do.

MS. BREHENY: We'd like to put a deck on the rear portion of our house just for barbecuing, basically I'm tired of walking down four steps to barbecue so that's pretty much it.

MR. LUNDSTROM: Just for the record, it looks like it's clear on the pictures but I think we need it for the record, the construction of the deck will not cut down substantial vegetation?

MS. BREHENY: We have no trees. I wish there were trees. We couldn't cut them down.

MR. TORPEY: How many trees you think you're going to use to build the deck?

MS. GANN: Will the size of the deck fit into the character of the neighborhood?

MS. BREHENY: Yeah, a few other of the neighbors put decks in I think relatively up close to the size we have, we'd be the first on our side, two people behind us have them.

MR. KANE: Anybody putting a deck on is going to come see us. Any easements running through where you want to put the deck?

MS. BREHENY: Not where the deck is, we did have to sign an easement but it's at the very edge of our property so--

May 8, 2006

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MR. KANE: Deck itself?

MS. BREHENY: Will not cover an easement.

MR. KANE: Not creating water hazards or runoffs in the building of the deck?

MS. BREHENY: No.

MR. KANE: Deck replaces the small set of steps coming out the rear entrance?

MS. BREHENY: Yes, they'll be taken down, yes.

MR. KANE: I'm good. Anybody have further questions? I'll accept a motion.

MS. LOCEY: I will offer a motion to schedule a public hearing on the application of Brian Breheny and their request for a 30 foot rear yard setback for proposed 16 foot by 16 foot rear deck at 2644 Liberty Ridge in an R-3 zone.

MR. LUNDSTROM: I will second that motion.

ROLL CALL

MS. GANN	AYE
MR. LUNDSTROM	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE

PUBLIC HEARINGS:

BRIAN BREHENY (06-29)

MR. KANE: Request for 30 ft. rear yard setback for proposed 16 ft. x 16 ft. rear deck at 2644 Liberty Ridge.

Mr. Anthony Bianchi appeared before the board for this proposal.

MR. BIANCHI: I'm his brother-in-law representing him, Anthony Bianchi.

MR. KANE: I will ask if there's anybody here for this particular hearing so we can get a name and address? No, okay. Cutting down any substantial vegetation or trees in the building of the deck?

MR. BIANCHI: No.

MR. KANE: Creating water hazards or runoffs?

MR. BIANCHI: No.

MR. KANE: Will the deck be similar in size and nature to other decks that are in your neighborhood?

MR. BIANCHI: Yes.

MR. KANE: Without the deck walking out the rear door would be hazardous?

MR. BIANCHI: Yes.

MR. KANE: Having the deck there instead of the steps would actually make it safer?

MR. BIANCHI: Yes.

June 26, 2006

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MR. KANE: Okay, at this point, I will open it and close the public portion of the hearing, seeing as no one's here and ask Myra how many mailings we had?

MS. MASON: On the 9th of June, I mailed out 68 envelopes, had no response.

MR. KANE: I'm not sure if I asked, is there any easements running through that area?

MR. BIANCHI: No.

MR. KANE: Any further questions from the board? I'll accept a motion.

MR. TORPEY: I'll make a motion that we approve the request of Brian Breheny's request for 30 foot rear yard setback for proposed 16 foot by 16 foot rear deck at 2644 Liberty Ridge in an R-3 zone.

MS. GANN: I'll second the motion.

ROLL CALL

MS. GANN	AYE
MR. LUNDSTROM	AYE
MR. TORPEY	AYE
MR. KANE	AYE



# THE SENTINEL

P.O. BOX 406  
VAILS GATE, NY 12584

## Invoice

Date	Invoice #
6/16/2006	7839

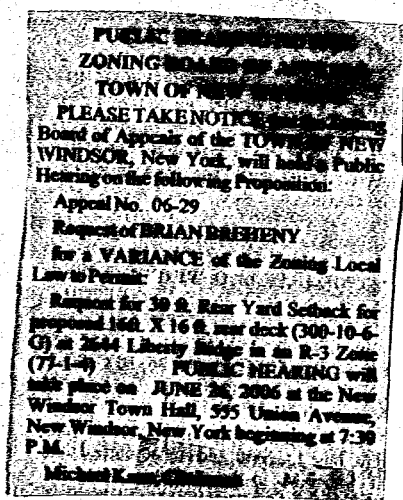
Bill To	WM
TOWN OF NEW WINDSOR 555 UNION AVE NEW WINDSOR, NY 12553	

RECEIVED  
JUN 27 2006  
TOWN OF NEW WINDSOR  
COMPTROLLER'S OFFICE

P.O. No.	Terms	Project
45127	Due on receipt	

Issue Date	Description	PCS/Units	Amount
6/9/2006	LEGAL ADS: APPEAL NO. 06-29	7.90	7.90
	1 AFFIDAVIT	4.00	4.00
		<b>Total</b>	<b>\$11.90</b>

VISA, MASTERCARD, AMERICAN EXPRESS PAYMENTS ACCEPTED, CALL (845)  
562-1218



State of New York  
County of Orange, ss:  
Patricia Quill being duly  
sworn disposes and says that she is The  
Supervisor of Legal Dept. of the E.W. Smith  
Publishing Company; Inc. Publisher of The  
Sentinel, a weekly newspaper published and  
of general circulation in the Town of New  
Windsor, Town of Newburgh and City of  
Newburgh and that the notice of which the  
annexed is a true copy was published IX  
in said newspaper, commencing on  
the 9 day of June A.D., 2006  
and ending on the 9 day of June  
A.D. 2006

*Patricia Quill*

Subscribed and shown to before me  
this 22<sup>nd</sup> day of June, 2006.

*Deborah Green*

Notary Public of the State of New York  
County of Orange.

DEBORAH GREEN  
Notary Public, State of New York  
Qualified in Orange County  
# 4984065  
Commission Expires July 15, 2007

My commission expires \_\_\_\_\_





# **ARCHITECTURAL REVIEW COMMISSION**

PLEASE TAKE NOTICE, that a Public Hearing will be held by the CITY OF NEWBURGH, ARCHITECTURAL REVIEW COMMISSION, on the following matters:

APPLICATION NUMBER 2006-39, at the request of 96 Broadway LLC, is seeking approval FOR ADDITION, ALTERATIONS AND REPAIRS TO DOORS, ROOF, WINDOWS, STEPS, CLOCK, FINIALS, COLUMNS, AND DECORATIVE CORNICES. PAINT COLORS TO BE BEIGE AND WHITE.

PROPERTY LOCATED AT: 96 BROADWAY SECTION: 30, BLOCK: 5, LOT(S): 22 as described on the Tax Records, Newburgh, New York.

The Public Hearing will be held on Tuesday, June 13, 2006, and any adjourned date, at 7:30 P.M. in the Activity Center, 401 Washington Street

Anyone wishing to make comment on the application may do so at that time.

Mary Crabb, Chairperson  
City of Newburgh Architectural Review Commission

Dated: June 2, 2006  
Published: June 6, 2006

## **PUBLIC HEARING NOTICE ZONING BOARD OF APPEALS TOWN OF NEW WINDSOR**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 06-33

Request of MICHAEL THOMAS for a VARIANCE of the Zoning Local Law to Permit:

Request for 5 ft. Side Yard Setback and; 5 ft. Rear Yard Setback for proposed in-ground pool at 2713 Colonial Drive in an R-3 Zone (77-6-8) PUBLIC HEARING will take place on JUNE 26, 2006 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.

Michael Kane, Chairman

## **PUBLIC HEARING NOTICE ZONING BOARD OF APPEALS TOWN OF NEW WINDSOR**

PLEASE TAKE NOTICE that the Zoning

located between the principal building and the street at 58 Keats Drive in an R-4 Zone (75-5-3) PUBLIC HEARING will take place on JUNE 26, 2006 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.

Michael Kane, Chairman

## **PUBLIC HEARING NOTICE ZONING BOARD OF APPEALS TOWN OF NEW WINDSOR**

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 06-29

Request of BRIAN BREHENY for a VARIANCE of the Zoning Local Law to Permit:

Request for 30 ft. Rear Yard Setback for proposed 16ft. X 16 ft. rear deck (300-10-6-G) at 2644 Liberty Ridge in an R-3 Zone (77-1-4) PUBLIC HEARING will take place on JUNE 26, 2006 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.

Michael Kane, Chairman

NOTICE: Sealed bids will be received in the Office of the Board of Education, 124 Grand Street, Newburgh, N.Y. 12550 until 2:00 p.m., June 20, 2006 for the following bid(s):

- 2006 Districtwide Alterations
- Contract 1: General Work
- Contract 2: Electrical Work: Meadow Hill & Temple Hill & Fostertown Schools
- Contract 3: Electrical Work: North & South Jr. Highs & Horizon on the Hudson

Bid forms may be obtained from the Printer-WL Coughtry, PO Box 6430, 268 Central Ave, Albany, NY 12206 Phone (518) 463-2192 upon payment of \$100 check payable to the Newburgh Enlarged City School District.

Bid and contract documents may be examined at the School District Operations Office, 20 Chestnut St. Newburgh, NY 550, or BBL Construction Services, LLC, 302 Washington Ave Extension, Albany, NY (518) 452-8200

Complete specification 3 and bid forms may be obtained at the above address.

The Board of Education reserves the right

NOTICE:  
THE ANNUAL RETURN OF THE ELAINE AND WILLIAM KAPLAN FAMILY CHARITABLE FOUNDATION, for the fiscal year ended December 31, 2005, is available at its principal office located c/o William Kaplan, 19 Rivers Edge, Newburgh, New York 12550 or call (518) 439-1062 for inspection during regular business hours by any citizen who so requests it within 180 days hereof. Principal Manager of the Foundation is Sheila Kaplan.

NOTICE  
These resolutions, summaries of which are published herewith, have been adopted by the County Legislature on the 1st day of June, 2006 and the validity of the obligations authorized by such resolutions may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Orange, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the Constitution.

Laurie M. Whightsil  
Clerk of the Legislature

## **RESOLUTION NO. 147 OF 2006 BOND RESOLUTION DATED JUNE 1, 2006**

BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING PREPARATION OF SURVEYS, PRELIMINARY PLANS AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING THE REPLACEMENT OF THE RIVER ROAD BRIDGE LOCATED ON RIVER ROAD OVER THE RAMAPO RIVER, IN THE VILLAGE OF HARRIMAN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$20,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$20,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF

object or purpose: preparation of surveys, preliminary plans and detailed plans, specifications and estimates necessary for planning the replacement of the River Road Bridge located on River Road over the Ramapo River, in the Village of Harriman,

MATED MAXIMUM COST THEREOF IS \$20,000, APPROPRIATING \$25,000 THEREFOR IN ADDITION TO \$25,000 PREVIOUSLY APPROPRIATED THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$25,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF, IN ADDITION TO \$25,000 BONDS PREVIOUSLY AUTHORIZED THEREFOR

object or purpose: preparation of surveys, preliminary plans and detailed plans, specifications and estimates necessary for planning the replacement of Mechanicstown Bridge located on County Route 67 over the Masonic Creek, in the Town of Walkill

period of probable usefulness: 5 years  
amount of obligations to be issued: \$25,000

A complete copy of the Bond Resolution summarized above shall be available for public inspection during normal business hours at the office of the Clerk of the Orange County Legislature, in Goshen, New York.

## **RESOLUTION NO. 150 OF 2006 BOND RESOLUTION DATED JUNE 1, 2006**

BOND RESOLUTION OF THE COUNTY OF ORANGE, NEW YORK, AUTHORIZING PREPARATION OF SURVEYS, PRELIMINARY PLANS AND DETAILED PLANS, SPECIFICATIONS AND ESTIMATES NECESSARY FOR PLANNING REPLACEMENT OF THE SEARSVILLE SCHOOL BRIDGE LOCATED ON COUNTY ROUTE 27 OVER THE DWAARKILL RIVER, IN THE TOWN OF CRAWFORD, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$20,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$20,000 BONDS OF THE COUNTY TO PAY THE COST THEREOF

object or purpose: preparation of surveys, preliminary plans and detailed plans, specifications and estimates necessary for planning replacement of the Searsville School Bridge located on County Route 27 over the Dwaarkill River, in the Town of Crawford, including engineering services.

period of probable usefulness: 5 years  
amount of obligations to be issued: \$20,000

A complete copy of the Bond Resolution summarized above shall be available for public inspection during normal business hours at the office of the Clerk of the Orange County Legislature, in Goshen, New York.

be publicly opened and read, and including specifications, may be obtained from the Division of Purchases at the above address or on the internet at [www.orangecountygov.com/purchasing](http://www.orangecountygov.com/purchasing)

Mark P. Coleman  
Director of Purchases County of Orange  
Date: May 24, 2005

## **PUBLIC NOTICE OF MOSQUITO LARVICIDING**

From the middle of June through August of 2006, Orange County anticipates the application of mosquito larvicide to municipally owned catch basins. One application of the larvicide Altosid (methoprene), in the form of a briquet, will prevent mosquito breeding in the catch basins for up to 150 days during the normal gestation period of mosquitoes.

Please note, the following dates and locations for the application of larvicide to municipally owned catch basins:

During the next ten weeks, larviciding will commence in all cities, towns and villages within Orange County.

The following larvicide will be used:

Altosid (methoprene): an insect growth regulator in briquet form (EPA registration No. 2724-421) with toxicity category of "CAUTION."

Additional telephone numbers:

Poison Control Center Hudson Valley 1-800-222-1222

New York Department of Environmental Conservation (845) 256-3097

National Pesticide Telecommunications Network 1-800-858-7378

Orange County Department of Health (845) 291-2332

A map of the areas receiving larvicide treatment and Larvicide Material Safety Data Sheets (MSDS) can be reviewed, at the office of the Orange County Department of Health, 124 Main Street, Goshen during the hours of 9 a.m.-5 p.m. Monday through Friday.

## **ORANGE COUNTY, NEW YORK DEPARTMENT OF PUBLIC WORKS**

### **REQUEST FOR PROPOSALS**

Notice is hereby given that Orange County Department of Public Works is soliciting Proposals for the following:

Environmental Consulting Services for Wetland Mitigation

The Scope of the project and the needed

**AFFIDAVIT OF MAILING**

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR  
COUNTY OF ORANGE: STATE OF NEW YORK**

In the Matter of the Application for Variance of

**BRIAN BREHENY**

**AFFIDAVIT OF  
SERVICE  
BY MAIL**

#06-29

X

STATE OF NEW YORK )

) SS:

COUNTY OF ORANGE )

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 9<sup>TH</sup> day of JUNE, 2006, I compared the 68 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason  
Myra L. Mason, Secretary

16<sup>th</sup> day of June, 2006

J. M. Gallagher  
Notary Public

JENNIFER MEAD  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified In Orange County  
Commission Expires 10/30/ 2006



# Town of New Windsor

555 Union Avenue  
New Windsor, New York 12553  
Telephone: (845) 563-4631  
Fax: (845) 563-3101

## Assessors Office

May 16, 2006

Brian & Jodi Breheny  
2644 Liberty Ridge  
New Windsor, NY 12553

Re: 77-1-4      ZBA#: 06-29 (68)

Dear Mr. and Mrs. Breheny:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$85.00, minus your deposit of \$25.00.

Please remit the balance of \$60.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wile, IAO  
Sole Assessor

JTW/tmp  
Attachments

CC: Myra Mason, Zoning Board

64-2-15

Richard & Michele Janke  
2051 Independence Drive  
New Windsor, NY 12553

64-2-18

Melba Fawcett Sands  
2045 Independence Drive  
New Windsor, NY 12553

64-2-21

John & Eileen Weber  
2039 Independence Drive  
New Windsor, NY 12553

64-2-26

Rolly & Susana Tina  
2653 Liberty Ridge  
New Windsor, NY 12553

64-2-29

Carl & Margo Bell  
2647 Liberty Ridge  
New Windsor, NY 12553

64-2-32

Jose & Sandra Alemany  
2641 Liberty Ridge  
New Windsor, NY 12553

76-4-15

Juan Curillo  
Anita Pinos  
2040 Independence Drive  
New Windsor, NY 12553

77-1-1

Jeanette Campbell  
2638 Liberty Ridge  
New Windsor, NY 12553

77-1-5

Annette & Giovanni Flores  
2646 Liberty Ridge  
New Windsor, NY 12553

77-1-8

Dererk Barbier  
Maritza DeJesus Barbier  
2652 Liberty Ridge  
New Windsor, NY 12553

64-2-16

Baby & Shantee Thomas  
2049 Independence Drive  
New Windsor, NY 12553

64-2-19

Donald Cambridge  
Sabrina Walker-Cambridge  
2043 Independence Drive  
New Windsor, NY 12553

64-2-22

George & AnnMarie Weir  
2037 Independence Drive  
New Windsor, NY 12553

64-2-27

Agustin & Milagros Dorego  
2651 Liberty Ridge  
New Windsor, NY 12553

64-2-30

Timmy Vazquez  
Carla Diaz Vazquez  
2645 Liberty Ridge  
New Windsor, NY 12553

64-2-33

Paul & Donna Alvarez  
2639 Liberty Ridge  
New Windsor, NY 12553

76-4-16

Rakowski Irr. Trust  
Michal & Christina Klim  
2042 Independence Drive  
New Windsor, NY 12553

77-1-2

Juan Nieves  
Inis Jurado Nieves  
2640 Liberty Ridge  
New Windsor, NY 12553

77-1-6

Yury Matuska  
2648 Liberty Ridge  
New Windsor, NY 12553

77-1-9

Anthony & Kerri Bianchi  
2654 Liberty Ridge  
New Windsor, NY 12553

64-2-17

Douglas Pettus  
Virna Jusino  
2047 Independence Drive  
New Windsor, NY 12553

64-2-20

Stanley & Beena George  
2041 Independence Drive  
New Windsor, NY 12553

64-2-25

Richard & Rosa Walker  
2655 Liberty Ridge  
New Windsor, NY 12553

64-2-28

Mario & Theresa Bullicer  
2649 Liberty Ridge  
New Windsor, NY 12553

64-2-31

Norman & Doreen Edwards  
2643 Liberty Ridge  
New Windsor, NY 12553

76-4-14

Israel Perez  
Therezabeth Garcia  
2038 Independence Drive  
New Windsor, NY 12553

76-4-20

Jason & Pauline Honecker  
2050 Independence Drive  
New Windsor, NY 12553

77-1-3

Edward Venezia, II  
Nadia Godbout  
2642 Liberty Ridge  
New Windsor, NY 12553

77-1-7

Shawn Carter  
Ebony Johnson Carter  
2650 Liberty Ridge  
New Windsor, NY 12553

77-1-15

Brian & Maria Lewis  
2808 Cherry Tree Way  
New Windsor, NY 12553

77-1-16  
Junior Gonsalves  
2810 Cherry Tree Way  
New Windsor, NY 12553

77-1-19  
Donald & Kathleen DeMatteo  
2816 Cherry Tree Drive  
New Windsor, NY 12553

77-1-22  
James Wallace  
Stacey Miller  
2822 Cherry Tree Way  
New Windsor, NY 12553

77-2-1  
Jose Antonio & Sandra Marin  
2825 Cherry Tree Way  
New Windsor, NY 12553

77-2-4  
Benedetto & Kelly Allegra  
2819 Cherry Tree Way  
New Windsor, NY 12553

77-2-7  
Carmelo & Lydia Taverna  
2813 Cherry Tree Way  
New Windsor, NY 12553

77-2-10  
Salvatore & Angela Allegra  
2807 Cherry Tree Way  
New Windsor, NY 12553

77-2-21  
James Hoskin  
Kathryn Brown  
2716 Colonial Drive  
New Windsor, NY 12553

77-2-24  
Craig & Valerie Barnes  
2722 Colonial Drive  
New Windsor, NY 12553

77-2-27  
Maria Pippi  
David Layne  
2728 Colonial Drive  
New Windsor, NY 12553

77-1-17  
Richard & Josephine Romano  
2812 Cherry Tree Way  
New Windsor, NY 12553

77-1-20  
Eduardo & Elizabeth Guerrero  
2818 Cherry Tree Way  
New Windsor, NY 12553

77-1-23  
Mark & Tina Goldenberg  
2824 Cherry Tree Way  
New Windsor, NY 12553

77-2-2  
Richard & Laura Smacchia  
2823 Cherry Tree Way  
New Windsor, NY 12553

77-2-5  
John & Eva Lee  
2817 Cherry Tree Way  
New Windsor, NY 12553

77-2-8  
Daniel & Lydia Bonilla  
2811 Cherry Tree Way  
New Windsor, NY 12553

77-2-19  
Mark & Patricia Mayberry  
2712 Colonial Drive  
New Windsor, NY 12553

77-2-22  
Brian & Carole McCue  
2718 Colonial Drive  
New Windsor, NY 12553

77-2-25  
Dion & Joan Edwards  
2724 Colonial Drive  
New Windsor, NY 12553

77-6-1  
Patrick McNamara  
Cecilia Miro  
2727 Colonial Drive  
New Windsor, NY 12553

77-1-18  
Donald & Karlene Mitchell  
2814 Cherry Tree Way  
New Windsor, NY 12553

77-1-21  
Denis & Jacqueline Allen  
2820 Cherry Tree Way  
New Windsor, NY 12553

77-1-24  
Jean Pierre Nerva  
Lude Belony  
2826 Cherry Tree Way  
New Windsor, NY 12553

77-2-3  
Donald & Paulette Easterlin  
2821 Cherry Tree Way  
New Windsor, NY 12553

77-2-6  
Nolan & Madeline Padilla  
2815 Cherry Tree Way  
New Windsor, NY 12553

77-2-9  
Anonino & Maria Tommasi  
2809 Cherry Tree Way  
New Windsor, NY 12553

77-2-20  
John & Nicole White  
2714 Colonial Drive  
New Windsor, NY 12553

77-2-23  
Emanuel & Anelyn Suazo  
2720 Colonial Drive  
New Windsor, NY 12553

77-2-26  
Robert & Zoraida Marquez  
2726 Colonial Drive  
New Windsor, NY 12553

77-6-2  
Rudolph Trocard  
2725 Colonial Drive  
New Windsor, NY 12553

77-6-3

Elliot Gaztambide, Jr.  
Jennifer Rivera Gaztambide  
2723 Colonial Drive  
New Windsor, NY 12553

77-6-6

Brian & Dianna McLean  
2717 Colonial Drive  
New Windsor, NY 12553

77-6-25

Joseph & Victoria Pecoraro  
2622 Liberty Ridge  
New Windsor, NY 12553

77-6-4

Joseph & Jodi Antonacci  
2721 Colonial Drive  
New Windsor, NY 12553

77-6-7

Harvey Mathis  
Lydia Alvarez  
2715 Colonial Drive  
New Windsor, NY 12553

77-6-26

Mark Monte  
Jocelyn Pacatang  
2624 Liberty Ridge  
New Windsor, NY 12553

77-6-5

Barry & Joanne Washington  
2719 Colonial Drive  
New Windsor, NY 12553

77-6-8

Michael & Michelle Thomas  
2713 Colonial Drive  
New Windsor, NY 12553





**PUBLIC HEARING NOTICE**  
**ZONING BOARD OF APPEALS**  
**TOWN OF NEW WINDSOR**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

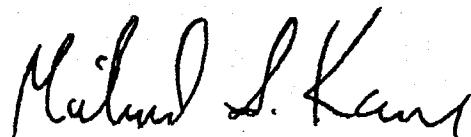
**Appeal No. 06-29**

**Request of BRIAN BREHENY**

**for a VARIANCE of the Zoning Local Law to Permit:**

**Request for 30 ft. Rear Yard Setback for proposed 16ft. X 16 ft. rear deck (300-10-6-G) at 2644 Liberty Ridge in an R-3 Zone (77-1-4)**

**PUBLIC HEARING will take place on JUNE 26, 2006**  
**at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York**  
**beginning at 7:30 P.M.**

A handwritten signature in black ink, appearing to read "Michael S. Kane", written over a horizontal line.

**Michael Kane, Chairman**

Town of New Windsor  
555 Union Avenue  
New Windsor, NY 12553  
(845) 563-4611

**RECEIPT**  
**#379-2006**

05/09/2006

Bremeny, John M. *✓BA 06-29*

Received \$ 50.00 for Planning Board Fees, on 05/09/2006. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

**Deborah Green**  
Town Clerk

**TOWN OF NEW WINDSOR**  
**ZONING BOARD OF APPEALS**  
**RECEIPT OF ESCROW RECEIVED:**

DATE RECEIVED: 05-08-2006

FOR: ESCROW 06-29

FROM:

**Brian & Jodi Breheny**  
**2644 Liberty Ridge**  
**New Windsor, NY 12553**

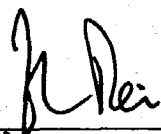
CHECK FROM:  
SAME

CHECK NUMBER: 519

TELEPHONE: 567-0427

AMOUNT: 300.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

  
\_\_\_\_\_  
NAME

5/9/06  
DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

**APPLICANT/OWNER PROXY STATEMENT**  
**(for professional representation)**

for submittal to the:  
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

Jodi Breheny, deposes and says that he resides  
(OWNER)

at 2644 Liberty Ridge in the County of Orange  
(OWNER'S ADDRESS)

and State of New York and that he is the owner of property tax map

(Sec. 77 Block 1 Lot 4)  
designation number (Sec. \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_) which is the premises described in  
the foregoing application and that he authorizes:

Kerri Bianchi or Anthony Bianchi

(Applicant Name & Address, if different from owner)

2654 Liberty Ridge New Windsor, N.Y. 12553

(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 5/23/06

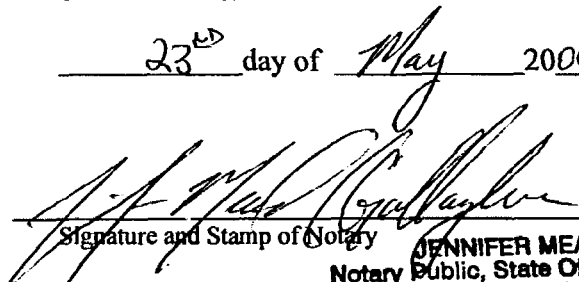
Sworn to before me this:

23<sup>rd</sup> day of May 2006

\*\*  
Jodi M. Breheny  
Owner's Signature (MUST BE NOTARIZED)  
DL# 645-169-335 exp. 11-15-09

Applicant's Signature (If different than owner)

Representative's Signature

  
Signature and Stamp of Notary  
JENNIFER MEAD  
Notary Public, State Of New York  
No. 01ME6050024  
Qualified In Orange County  
Commission Expires 10/30/2006

**THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE  
PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT  
THE ZBA MEETINGS.**

**\*\* PLEASE NOTE:  
ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.**

COMPLETE THIS PAGE ☐



**RESULTS OF Z.B.A. MEETING OF:** May 8, 2006

PROJECT: Brian + Jodi Brekeny

**ZBA #** 06-29

**P.B.#**

**USE VARIANCE:**

**NEED: EAF**

## PROXY

LEAD AGENCY: M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN  
LUNDSTROM  
LOCEY  
TORPEY  
KANE

CARRIED: Y\_\_\_N\_\_\_

**PUBLIC HEARING: M)**\_\_\_\_\_ **S)**\_\_\_\_\_ **VOTE: A**\_\_\_\_\_ **N**\_\_\_\_\_

GANN  
LUNDSTROM  
LOCEY  
TORPEY  
KANE

CARRIED: Y\_\_\_\_\_N\_\_\_\_\_

**NEGATIVE DEC:** M) \_\_\_\_\_ S) \_\_\_\_\_ VOTE: A \_\_\_\_\_ N \_\_\_\_\_

GANN  
LUNDSTROM  
LOCEY  
TORPEY  
KANE

CARRIED: Y\_\_\_\_N\_\_\_\_

APPROVED: M)\_\_\_\_S)\_\_\_\_ VOTE: A\_\_\_\_N\_\_\_\_

GANN  
LUNDSTROM  
LOCEY  
TORPEY  
KANE

CARRIED: Y\_\_\_\_N\_\_\_\_

**ALL VARIANCES - PRELIMINARY APPEARANCE:**

**SCHEDULE PUBLIC HEARING:** M) Lo S) Lu

VOTE: A 5 N 0

GANN	A
LUNDSTROM	A
LOCEY	A
TORPEY	A
KANE	A

CARRIED: Y ✓ N   

**PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES**

**VARIANCE APPROVED:** M)\_\_\_ S)\_\_\_ VOTE: A\_\_\_ N\_\_\_.

**GANN** \_\_\_\_\_  
**LUNDSTROM** \_\_\_\_\_  
**LOCEY** \_\_\_\_\_  
**TORPEY** \_\_\_\_\_  
**KANE** \_\_\_\_\_

**CARRIED: Y\_\_\_\_\_N\_\_\_\_\_.**

[illegible]

## **TOWN OF NEW WINDSOR REQUEST FOR NOTIFICATION LIST**

PROJECT NUMBER: ZBA# 06-29 P.B. # \_\_\_\_\_

APPLICANT NAME: **BRIAN BREHENY**

**PERSON TO NOTIFY TO PICK UP LIST:**

**Brian & Jodi Breheny**  
**2644 Liberty Ridge**  
**New Windsor, NY 12553**

TELEPHONE: 567-0427

TAX MAP NUMBER: SEC. 77 BLOCK 1 LOT 4  
SEC.        BLOCK        LOT         
SEC.        B LOCK        LOT       

PROPERTY LOCATION: **2644 LIBERTY RIDGE**  
**NEW WINDSOR, NY**

LIST OF PROPERTY OWNERS WITHIN 500 FT. FOR SITE PLANS/SUBDIVISION \_\_\_\_\_  
(IS NOT PREPARED ON LABELS)

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: \_\_\_\_\_

**SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET**

**SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET)**

**AGRICULTURAL DISTRICT:**  
(ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'  
OF SITE PLAN OR SUBDIVISION PROJECT)

NEW WINDSOR ZONING BOARD **XXX**

**LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX**

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 520

TOTAL CHARGES: \_\_\_\_\_



TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS



APPLICATION FOR VARIANCE

May 2, 2006  
Date

Application Type: Use Variance ☐ Area Variance ☐  
Sign Variance ☐ Interpretation ☐

I. Owner Information:

Phone Number: (845) 567-0427  
Fax Number: ( )  
Jodi and Brian Breheny  
(Name)  
2644 Liberty Ridge New Windsor, N.Y. 12553  
(Address)

II. Applicant:

Phone Number: (845) 567-0427  
Fax Number: ( )  
Jodi and Brian Breheny  
(Name)  
2644 Liberty Ridge New Windsor, N.Y. 12553  
(Address)

III. Forwarding Address, if any, for return of escrow:

Phone Number: ( )  
Fax Number: ( )  
\_\_\_\_\_  
(Name)  
\_\_\_\_\_  
(Address)

IV. Contractor/Engineer/Architect/Surveyor/:

Phone Number ( )  
Fax Number: ( )  
\_\_\_\_\_  
(Name)  
\_\_\_\_\_  
(Address)

V. Property Information:

Zone: R-3 Property Address in Question: 2644 Liberty Ridge New Windsor, N.Y. 12553  
Lot Size: .25 Tax Map Number: Section 77 Block 1 Lot 4

- a. What other zones lie within 500 feet? \_\_\_\_\_  
b. Is pending sale or lease subject to ZBA approval of this Application? No  
c. When was property purchased by present owner? July 14, 2004  
d. Has property been subdivided previously? No If so, When: \_\_\_\_\_  
e. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? No  
f. Is there any outside storage at the property now or is any proposed? No

\*\*\*\*PLEASE NOTE:\*\*\*\*

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

**VIII. AREA VARIANCE: (This information will be on your Building Department Denial form you receive)**

Area Variance requested from New Windsor Zoning Local Law,

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area			
Min. Lot Width			
Reqd. Front Yd.			
Reqd. Side Yd.			
Reqd. Rear Yd.	50'	20'	30'
Reqd. St Front*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Dev. Coverage*			
Floor Area Ration**			
Parking Area			

\*Residential Districts Only

\*\*Non-Residential Districts Only

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**COMPLETE THIS PAGE ☐**



**TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS**

**APPLICATION FOR VARIANCE - continued**

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

We (Jodi and Brian Breheny) feel  
the ZBA should grant our application for an Area  
Variance because in doing so there will be no  
adverse effect on any neighboring properties.  
It will in no way cause or create an undesirable  
change to the character of the neighborhood. We  
feel this will be an asset to our home that will  
be enjoyed for years to come.  
Thank you.

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

**XII. ADDITIONAL COMMENTS:**

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- 
- 

**XIII. ATTACHMENTS REQUIRED:**

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☐ Photographs of area that variances is being requested for showing relationship to property lines (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

**XIV. AFFIDAVIT.**

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE )

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

2<sup>nd</sup> day of May 2006.

Jeannie T. Krill  
Signature and Stamp of Notary

Jodi M. Breheny  
Owner's Signature (Notarized)

Jodi M. Breheny  
Owner's Name (Please Print)

\_\_\_\_\_  
Applicant's Signature (If not Owner)

**PLEASE NOTE:**

**THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.**

JEANNIE T. KRILL  
Notary Public, State of New York  
No. 4704332 Qual. in Orange County  
Certificate Filed in Orange County  
Commission Expires 1/24/10

COMPLETE THIS PAGE ☐



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NY 12553  
(845) 563-4615 (MYRA MASON)



## ZONING BOARD PROCEDURES

PLEASE READ AND COMPLETE THE ATTACHED APPLICATION FORMS WHERE IT APPLIES TO YOUR SITUATION (LOOK FOR HIGHLIGHT IN BOX IN LOWER RIGHT CORNER OF EACH PAGE) AND RETURN TO MYRA MASON (845-563-4615) AT THE ZONING BOARD OFFICE (LOCATED IN THE PLANNING BOARD & ENGINEERING OFFICE IN TOWN HALL) WITH THREE CHECKS MADE PAYABLE TO **"THE TOWN OF NEW WINDSOR"** AS FOLLOWS:

**RESIDENTIAL: (Three Separate Checks Please)**

APPLICATION FEE: \$ 50.00  
\*ESCROW: \$300.00  
\*\*DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

**MULTI-FAMILY: (Three Separate Checks Please)**

APPLICATION FEE: \$150.00  
\*ESCROW: \$500.00  
\*\*DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

**COMMERCIAL: (Three Separate Checks Please)**

APPLICATION FEE: \$150.00  
\*ESCROW: \$500.00  
\*\*DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

**INTERPRETATION: (Three Separate Checks Please)**

APPLICATION FEE: \$150.00  
\*ESCROW: \$500.00  
\*\*DEPOSIT FOR PUBLIC HEARING LIST: \$ 25.00

UPON RECEIPT OF ALL APPLICABLE PAPERWORK AND CHECKS, YOU WILL BE SCHEDULED FOR THE NEXT AVAILABLE AGENDA FOR YOUR "PRELIMINARY MEETING". YOU DO NOT NEED YOUR PUBLIC HEARING LIST OR ENVELOPES FOR THIS FIRST MEETING.

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### ESCROW

IS TO COVER OUTSIDE PROFESSIONAL FEES SUCH AS ZBA ATTORNEY FEE, MINUTES OF YOUR PORTION OF THE MEETING, LEGAL ADS, ETC. THE BALANCE WILL BE RETURNED TO YOU UPON CLOSING FILE.

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### LIST OF PROPERTY OWNERS WITHIN 500 FT. RADIUS OF PROPERTY IN QUESTION:

#### APPROXIMATE COST FOR PUBLIC HEARING LIST:

1-10 NAMES	25.00
11-20 NAMES	35.00
21-30 NAMES	45.00
31-40 NAMES	55.00
41-50 NAMES	65.00
51-60 NAMES	75.00
61-70 NAMES	85.00
71-80 NAMES	95.00
81-90 NAMES	105.00
91-100 NAMES	115.00

ANYTHING OVER 100 NAMES  
IS \$1.00 EA. ADDITIONAL  
NAME

## **PUBLIC HEARING LIST OF PROPERTY OWNERS**

1. UPON RECEIPT OF ALL APPLICABLE CHECKS AND PAPERWORK, YOUR APPLICATION WILL BE PROCESSED AND YOUR \$25.00 DEPOSIT WILL BE SENT TO THE ASSESSOR'S OFFICE TO ORDER YOUR LIST OF PROPERTY OWNERS WITHIN 500 FEET. **(NOTE: YOU DO NOT NEED THIS LIST OR THE ENVELOPES FOR YOUR FIRST (PRELIMINARY) MEETING. Please do not call the Assessor's Office looking for your list – they will contact you when it is ready or if necessary, call Myra at 845-563-4615.**
2. WHEN THE ASSESSOR'S OFFICE NOTIFIES YOU THAT YOUR PUBLIC HEARING LIST IS READY, YOU MUST COME IN AND PAY THE BALANCE DUE FOR THE LIST. (THE LIST WILL BE PREPARED ON LABELS FOR YOUR CONVENIENCE).
3. PREPARE AN ENVELOPE (self-sealing envelopes are much appreciated) FOR EACH LABEL WITH YOUR RETURN ADDRESS AND A REGULAR \$.39 STAMP. BRING THE PREPARED ENVELOPES AND A COPY OF THE LIST TO THE ZONING BOARD SECRETARY FOR MAILING. YOUR PUBLIC HEARING DATE WILL BE SCHEDULED AT THIS TIME.

### **NOTE:**

**IF IT IS EASIER FOR YOU, YOU CAN BRING THE ENVELOPES WITH YOU WHEN YOU PICK UP AND PAY FOR YOUR LIST. YOU CAN PUT THE LABELS ON AT THAT TIME AND BRING THEM TO THE ZBA OFFICE FOR COMPLETION.**

### **NOTE:**

**THE ZBA MEETS ON THE 2<sup>ND</sup> AND 4<sup>TH</sup> MONDAY OF EACH MONTH UNLESS A HOLIDAY FALLS ON THAT DATE.**